IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 21ST AUGUST 2007 / 30TH SRAVANA 1929

WP(C).No. 25402 of 2007(Y)

PETITIONER:

REJI P.GEORGE, POOVANMALA TRADERS,
ELAVUMTHITTA, PATHANAMTHITTA.

BY ADV. SRI.ARIKKAT VIJAYAN MENON
ADV. SHRI.HARISANKAR V.MENON,
ADV. SMT.MEERA V.MENON
ADV. SHRI.MAHESH V MENON

RESPONDENTS:

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1. SALES TAX OFFICER, PATHANAMTHITTA.

2. DEPUTY COMMISSIONER (APPEALS),
DEPT. OF COMMERCIAL TAXES,
KOLLAM.

BY ADV. SHRI.C.K.GOVINDAN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 25402 of 2007

Dated, this the 21st day of August, 2007

J U D G M E N T

Since petitioner has filed appeal against sales tax assessment for the year 2004-05 and against the penalty order, this writ petition is disposed of granting stay against recovery proceedings till disposal of the appeals on petitioner remitting a further sum of Rs. 25,000/-, in addition to Rs. 50,000/- already paid (to be verified), within a period of one month from today. Since the appeal against penalty is also pending, the appellate authority is directed to take up the appeals together out of turn and dispose of the same within a period of three months from the date of making payment as above. If payment is not made, entire demand can be recovered during pendency of the appeals and in that case, appeals will be disposed of in the usual course.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg